

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

TRUSTEES OF THE SUBURBAN TEAMSTERS	)	
OF NORTHERN ILLINOIS WELFARE AND	)	
PENSION FUNDS,	)	
	)	
Plaintiffs,	)	
	)	No. 2013 C 811
v.	)	
	)	Judge Lee
T & W EDMIER CORP.,	)	
an Illinois corporation and	)	Magistrate Judge Rowland
THOMAS W. EDMIER, Individually,	)	
	)	
Defendants.	)	

**MOTION FOR DEFAULT JUDGMENT IN SUM CERTAIN**

NOW COMES the Plaintiff, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUND, by and through its attorney, JOHN J. TOOMEY, ARNOLD AND KADJAN, and pursuant to FRCP 55 move for judgment in sum certain as stated in this Complaint and the supporting Affidavits attached hereto. In support of its Motion, Plaintiffs state as follows:

1. Suit was filed on February 1, 2013 for collection of delinquent contributions plus attorneys' fees, costs and interest under 29 U.S.C. 1132(g)(2).
2. Service upon T & W EDMIER CORP., an Illinois corporation was made on the Defendant on February 7, 2013, and a copy of the proof of service was filed with the court on February 14, 2013.
3. Service upon THOMAS W. EDMIER, Individually was made on the Defendant on February 7, 2013, and a copy of the proof of service was filed with the court on February 14, 2013.

4. Defendants are now in default on the co-signed installment notes as to the Complaint Count II (corporation) and III (individual) and as supported by the attached Affidavits the sums due are:

\$7,820.63	Defaulted Pension Fund installment note payments
\$8,068.43	Defaulted Welfare Fund installment note payments
\$925.00	Attorneys fees
<u>\$414.00</u>	Court costs
\$17,228.06	

WHEREFORE, Plaintiff prays for:

1. Entry of judgment against Defendants, T & W EDMIER CORP., an Illinois corporation on Count II of the Complaint and THOMAS W. EDMIER, Individually, on Count III of the Complaint, jointly and severally, and in favor of Plaintiffs, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUNDS in the amount of \$17,228.06 as there is no just reason for delay in enforcement under FRCP 54(b).

2. Order Defendant T & W EDMIER CORP., an Illinois corporation to produce its books and records for the time period August, 2012 through the present time within 21 days as to Count I of the Complaint and at such time judgment will be entered in the amount shown to be due on the audit.

TRUSTEES OF THE SUBURBAN TEAMSTERS  
OF NORTHERN ILLINOIS WELFARE AND  
PENSION FUNDS

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Dated: March 7, 2013